

REMARKS

This Request for Reconsideration is offered in response to the Office Action of June 8, 2004.

The Office Action has rejected Claims 1-7 under 35 U.S.C. 102(e) as being anticipated by Shimomura et al. (U.S. Patent No. 6,526,580).

The disclosure includes (1) a broadcasting means which enables concurrent and massive transmissions of identical information to the plurality of devices, and (2) a transmission means which enables transmission of inherent information which is inherent to each device by transmitting with a specific device; thereby generating a synergistic effect.

In order to generate the above synergistic effect, the receiving device as defined in Claim 1 comprises (A) a broadcast receiving section receiving data by broadcast means, which receives common information common to a plurality of receiving devices, and (B) a data accepting section accepting the data by communication means, which accepts inherent information inherent to the receiving device.

In the description of "First mode for Carrying out the Invention," the examples of "common information" include (1) a content which is a nationwide news program, (2) global standard time information, (3) receiving device maintenance information used if a program defect common to a plurality of receiving devices are discovered, (4) information on the list of nationwide broadcast programs which can be viewed and listened to by a plurality of receiving devices in common and the like.

Moreover, “inherent information” is defined as “dedicated information inherent to each receiving device.” In the present specification, examples of “inherent information” include (1) local news limited to an area in which the receiving device is located, (2) deviation time information for calculating the time of the day at the position at which the receiving device is located at present from the global standard time information received as the common information, (3) maintenance information inherent to the receiving device, (4) information on broadcast programs receivable only in an area in which the receiving device is located.

In Shimomura et al., a broadcast control center broadcasts the data, in which a plurality of multimedia contents are multiplexed; and a receiving device extracts and stores the content according to the interest of the user of the receiving device, after receiving and demodulating said multiplexed data. In so far as this point, Shimomura et al. is different from Claim 1 of the present invention.

Therefore, comparing Claim 1 of the present invention with Shimomura et al., an aspect of Claim 1 of the present invention, as described in above A and B, is distinguishable from Shimomura et al., wherein the content is extracted from a plurality of contents, which has been multiplexed and broadcasted, according to the interest of the user of the receiving device.

Further, the Office Action stated that “a data accept section” in the present invention has been disclosed in Shimomura et al. (column 8, line 24-30). Indeed, the input/output devices 541 and 543, which can communicate with the external devices, are shown in Fig. 5.

However, in Shimomura et al., there is no description that said devices acquire the inherent information of Claim 1 of the present invention.

Additionally, the Office Action stated that the inherent information of the present invention has been disclosed as a “subset of digital information (Column 2, Line 39-45)” and as a “particular digital information stream (Column 4, Line 22-37)”.

However, said “subset of digital information” and “particular digital information stream” are merely extracted from the “common information,” which is multiplexed by the broadcasting center, according to the interest of the user of said receiving device.

The Office Action appears to indicate that the inherent information of the present invention is included in the common information. However, as described in the present specification, the inherent information is not information which is included in the common information, but information which complements the common information. Moreover, as defined in Claim 1, the inherent information is received not by a broadcasting means which transmits the common information, but by a communication means.

As described hereinabove, the present invention in Claim 1 has not been disclosed or suggested in Shimomura et al. Therefore, the present invention, while being a novel invention, is non-obviousness over Shimomura et al.

Claim 2:

Since Claim 2 is dependent on Claim 1, Claim 2 is novel and nonobvious over Shimomura et al.

Claim 3:

Examples of “permanent information” include the last portion of the Third Mode for Carrying out the Invention, and a speedway map and an image of map as shown in Fig. 2.

Moreover, examples of “variable information” include traffic congestion information on the respective road transmitted from a sensor on each road, and information on weather of respective areas.

The Office Action indicated that Claim 2 of the present invention has been disclosed in Shimomura et al.

However, Claim 2 of the present invention has not been disclosed in Shimomura et al. as described hereinafter.

The Office Action indicated that the permanent information of the present invention has been disclosed in Shimomura et al. (column 13, line 10-45).

However, in the above part of Shimomura et al., it has merely been disclosed that the construction of web pages changes according to a search; but the information corresponding to permanent information of the present invention has not been disclosed.

If the Office Action is based upon the permanent information of the present invention having been disclosed in Shimomura et al., it is not so clear which information corresponds to the permanent information of the present invention.

Additionally, the Office Action indicated that the variable information of the present invention has been disclosed in Shimomura et al. (column 5, line 24-50). However, in the above part of Shimomura et al., the information corresponding to the variable information of the present invention has not been disclosed.

If the Office Action is based upon the variable information of the present invention having been disclosed in Shimomura et al., it is not so clear which information corresponds to the variable information of the present invention.

As described hereinabove, the information corresponding to the permanent information and the variable information of Claim 3 of the present invention have not been disclosed in Shimomura et al. Therefore, Claim 3 of the present invention is novel and nonobvious over Shimomura et al.

Claim 4:

Since Claim 4 is dependent on Claim 3, Claim 3 is novel and nonobvious over Shimomura et al.

Claim 5:

In Claim 5 of the present invention, the instruction presence information corresponds to information for notifying a receiving end that there is instruction information which the receiving device is to receive by the communication means as described in the first paragraph of Fifth Mode for Carrying out the Invention.

The Office Action indicated that Claim 5 of the present invention has been disclosed in Shimomura et al. However, Claim 5 of the present invention has not been disclosed in Shimomura et al. as described hereinafter.

The Office Action indicated that the “instruction presence information” of Claim 5 of the present invention has been disclosed in Shimomura et al. (column 10, line 10-11 and 6). However, in the part of Shimomura et al. (column 9, line 55- column 10, line 9), a process of caching a packet for transmitting “multimedia information” is described with reference to Fig. 7; and in the part in column 10, line 10-24, the data structure of said “multimedia information” is

described. Therefore, said "instruction presence information" of Claim 5 of the present invention has not been disclosed.

As described hereinabove, the information corresponding to the instruction presence information of Claim 5 of the present invention has not been disclosed in Shimomura et al. Therefore, Claim 5 of the present invention is novel and nonobvious over Shimomura et al.

#### Claims 6 and 7

Since Claim 6 and 7 are dependent on Claim 5, Claims 6 and 7 are novel and nonobvious over Shimomura et al.

In view of the above, each of the claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejections of the claims and to pass this application to early issue.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ronald E. Brown", with a stylized flourish at the end.

Ronald E. Brown  
Registration No. 32,200

212.297.5800  
Pitney Hardin LLP  
7 Times Square  
New York, NY 10036-7311